IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

CHAMBER SUMMONS NO. 818 OF 2005

IN

SUMMARY SUIT NO. 623 OF 1982

Union of India. .. Plaintiffs.

vs.

M/s. Practicles Boards India Ltd., & Ors. .. Defendants.

Mr. S.R. Rajguru for plaintiffs.

Mr. D.V. Singh i/by Ms. Thakordas and Madgaonkar for Defendants.

CORAM : S.U.KAMDAR, J.

DATE : 6th July, 2005.

P.C.

. The present application is taken out for producing documents being Exhibit A to J to the plaint as the secondary evidence. Without going into the aspect that whether the documents which are sought to be produced can be classified as secondary evidence or not under section 63 of the Evidence Act, I grant the permission to produce the evidence and I shall consider the objection whether it is admissible as secondary evidence or not at the time

of production of the said evidence. Chamber Summons disposed of accordingly. Mr. Amar Nath Mishra, Joint Director General of Foreign Trade in the office of the Zonal Joint Director General of Foreign Trade, Mumbai who is present in Court and who has filed the affidavit dated 5.7.2005 giving details of the circumstances in which the originals are not traceable. He assures the Court that he will initiate appropriate departmental enquiry against the persons who are at fault in misplacement of these documents and take appropriate action as permissible in law. Adjourned to 11.7.2005.